

# Judge Hellerstein

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

EXPRESS, LLC,

### SUMMONS IN A CIVIL ACTION

v.

CLOTHING FOR MODERN TIMES LTD. D/B/A  
URBAN BEHAVIOR and CMT AMERICA CORP.

07 CV 11410  
CASE NUMBER:

TO: (Name and address of Defendant)

Clothing For Modern Times Ltd. d/b/a Urban Behavior  
300 Supertest Road  
North York, Ontario M3J 2M2  
Canada

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Frank J. Colucci, Esq.  
Colucci & Umans  
218 East 50th Street  
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

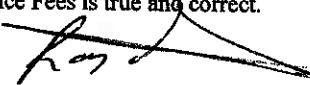
CLERK

(By) DEPUTY CLERK

DATE

DEC 7 9 2007

SAE 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	DECEMBER 21, 2007
NAME OF SERVER (PRINT) <b>RAY PATYKEWICH</b>	TITLE	PROCESS SERVER
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: CLOTHING FOR MODERN TIMES LTD. DBA URBAN BEHAVIOUR, 300 SUPERTEST ROAD, NORTH YORK, ONTARIO, M3J 2M2; LEFT WITH ALLY TARASUK, EXECUTIVE ASSISTANT <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>DEC. 21, 2007</u> Date	 <i>Ray</i> <i>Signature of Server</i>	
<u>365 EVANS AVENUE, SUITE 604</u> <u>TORONTO, ONTARIO, M8Z 1K2</u> <i>Address of Server</i>		
<i>RECEIVED</i> <i>MAY 2008</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.